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Disarmament Commission

278th meeting

Monday, 9 April 2007, 3 p.m.

New York

Chairman: Mr. Rosselli ..... (Uruguay)

The meeting was called to order at 3.15 p.m.

General exchange of views (*continued*)

The Chairman (*spoke in Spanish*): I remind representatives that the deadline for inscription on the speakers' list is 6 p.m. today. I should be grateful if those delegations wishing to take the floor that have not yet placed their names on the list would inform the Secretariat accordingly.

Mr. Bravaco (United States of America): Our delegation congratulates you, Sir, on your election as Chairman of the Disarmament Commission for the 2007 session.

Last year, after a number of years of disappointment and inactivity, the Disarmament Commission began to work again. It is now considering several important topics, and is charged with developing consensus recommendations on those matters by 2008. Of singular importance, nuclear non-proliferation is an express focus of the Commission's work for the first time.

The drafting of consensus recommendations on these matters would be a difficult enterprise in the best of times, let alone at a time of heightened international tension brought about by Iran's defiance of the international community as it pursues a nuclear-weapons capability in violation of its nuclear non-proliferation Treaty and International Atomic Energy Agency (IAEA) obligations, as well as of two unanimously adopted Chapter-VII Security Council resolutions.

Indeed, by unanimously adopting its resolution 1747 (2007) on 24 March, the Security Council signalled the international community's resolve to take steps to make clear to the Iranian regime the costs of its failure to suspend enrichment-related and reprocessing activities, as required by resolution 1737 (2006). The Council's action was swift, occurring within weeks of the IAEA's 22 February report to the Council detailing Iran's continued non-compliance and non-cooperation with the Agency. While the United States joins the entire permanent membership of the Security Council in recognizing Iran's right to peaceful, civil nuclear energy under relevant articles of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), that right comes with several responsibilities. Paramount among them is an obligation to forgo the pursuit of a nuclear-weapons capability. Iran's failure to comply with that basic obligation represents a grave threat to the global non-proliferation and disarmament efforts that we are dealing with here today.

Likewise, Iran's vice-chairmanship of this Commission threatens the credibility and efficacy of multilateral efforts to ensure global peace and security. When unanimously adopting its resolutions 1737 (2006) and 1747 (2007), the Security Council acted on behalf of a concerned international community and made clear that now is not the time for business as usual with the Iranian regime.

Iran's non-compliance with its international nuclear obligations is well documented. Allowing Iran,

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one of only 11 nations subject to Security Council Chapter-VII sanctions, to serve as a Vice-Chair of a United Nations body charged with examining and making recommendations on nuclear non-proliferation and disarmament is contradictory to and inconsistent with the intent of the Security Council. Iran's presence on the Commission's Bureau undermines the integrity and credibility of the Disarmament Commission. By allowing Iran to serve as a Vice-Chair of the Disarmament Commission, we are undermining the Commission's legitimacy and endangering our success.

Mr. Chairman, you assume your responsibilities at a time when the international community has expressed its grave concern regarding the threat to international security posed by the proliferation of nuclear weapons. You face a heavy burden and a distinct challenge: to lead the Commission towards a productive way forward, to ensure that our work is not hijacked by the actions and policies of a country that defies the Security Council and to lay the foundation for restoring the damaged image of this body. Indeed, while the United States remains committed to making this body an efficient and effective multilateral instrument, one that remains relevant to twenty-first-century threats to international peace and security, the result of this year's session will inform the future deliberations of the United States about the role of the Commission and the value of participating in these proceedings.

If we let this session pass without taking a hard look at the work we have already done and assessing its real-world chances of being assembled into a series of recommendations that all can agree to, then I fear that we will be setting the Commission up for an inevitable failure. In these endeavours, Mr. Chairman, your leadership will be key to the Commission's chance for future success.

In lieu of circulating printed copies of this statement, it will shortly be made available on the website of the United States Mission to the United Nations.

We wish you well, Mr. Chairman, as you guide our work.

Mr. Urbina (Costa Rica) *(spoke in Spanish)*: Allow me, first of all, to congratulate you, Mr. Chairman, and the Chairmen of the Working Groups upon your election. My delegation welcomes your appointment and wishes you every success in your work.

Costa Rica, as a member of the Rio Group, echoes the comments made this morning by Ambassador Lara-Peña of the Dominican Republic in his capacity as the current Chair of the Group. However, my delegation has requested the floor in order to expand upon a number of concerns that are of particular importance for us.

First of all, we are concerned by the highly restricted scope of the United Nations action in the area of disarmament, which remains a formidable challenge for the United Nations, which remains indebted to the peoples of the world, in particular to those who have paid, and who continue to pay, a high price for our insufficient achievements in the area of disarmament. The twentieth century ended with the largest number in history of victims of armed conflict. Only substantive progress in the field of disarmament will help turn the twenty-first century into one that is more civilized and one which spills less blood on the altars of war.

The 23 States Members of this Organization which have resolved to forgo armed forces and to entrust our security to the force of international law and multilateral security mechanisms have shown that peace could be closer today than ever before and that when the resources that others invest in weapons are invested in social expenditure our peoples can enjoy a higher standard of living and are subjected to less violence. If only the constant repetition of the purposes and principles of the Charter would move from mere rhetoric to action and if only words would finally take shape as actions which little by little would lead us towards greater achievements in the field of disarmament.

A second issue that Costa Rica wishes to address concerns the arms trade. As members all know, the General Assembly decided, by its resolution 61/89, to initiate a process which is to culminate in an authentic binding treaty on the arms trade. We who have vigourously supported this idea — a proposal originally put forward by former Nobel Peace Prize laureates and promoted under the leadership of the delegation of the United Kingdom — appeal to all to embrace this initiative, which will help us make substantive progress towards the goals that we have set for ourselves in the field of disarmament.

Neither disarmament nor peace nor security nor sustainable development are dreams. These sought-after goals will be attained only through assiduous work, sustained efforts and shared commitment. It is only firm steps towards established goals, concrete agreements and firm commitments that will help lead us towards greater progress.

We are aware of the obstacles that stand in the way of a treaty on the arms trade. On the one hand, there are the grim merchants of death and the companies that worship the profits derived from this dubious business without paying any heed to the blood that has been shed. On the other hand, there are those States that see their security threatened by possible acts of aggression contrary to international law, as well as by individuals who, in all countries, are enduring inadequate protection of their lives and their property.

It is in precisely for those reasons that the fight for disarmament will require the improvement of the international security system. My delegation submitted a number of proposals concerning this significant issue during the recent debates on the reform of the United Nations in general and on the reform of the Security Council in particular.

We know too that reaching the goal of disarmament also involves increasing expenditure on social programmes in all the countries of the planet, achieving higher levels of education, improving our health systems and putting in place social protection systems, which will, in turn, help enhance the level of human security and which will also have impact on the arms trade and, hence, on disarmament in general. Until we make progress in all of those areas, weapons will continue to be wielded by child soldiers, by criminal groups and by terrorists.

To that end, in the forum of this Commission, Costa Rica wishes to repeat its call for progress towards achieving an arms trade treaty. The General Assembly's decision will initiate this process by convening a group of governmental experts to examine the feasibility and scope of a comprehensive, legally binding instrument. We call upon those countries that have not yet done so to support this process. By doing so, we will be meeting the expectations that the peoples of the world have placed in the international community.

Mr. Hoang Chi Trung (Viet Nam): On behalf of the delegation of the Socialist Republic of Viet Nam, I wish to congratulate you, Sir, and the other members of the Bureau on your elections to the important posts of the Bureau of the United Nations Disarmament Commission at its 2007 session. My delegation is fully convinced that your diplomatic experience and skills will guide the session towards a successful outcome.

First and foremost, my delegation wishes to fully associate itself with the statement made by the representative of the Republic of Indonesia on behalf of the Non-Aligned Movement.

The Vietnamese delegation wishes to underline the importance and relevance of the Disarmament Commission as the sole specialized deliberative body within the United Nations multilateral disarmament machinery that allows for in-depth deliberations on specific disarmament issues, leading to concrete recommendations. My delegation therefore fully supports the work of the Commission and calls upon the member States to display the necessary political will and flexibility in order to achieve agreement on recommendations based on its two agenda items during the current cycle.

On the first agenda item, my delegation shares the view that nuclear weapons today continue to pose the most serious threat to international peace and security. In light of the serious danger of terrorists' gaining access to nuclear weapons material, the threat of nuclear weapons looms even larger for all humankind. Because of that, my delegation urges the Commission to work harder on that agenda item.

For many years now, Viet Nam has consistently supported the objective of the total elimination of nuclear weapons. In that connection, we once again underscore the importance of the 1996 advisory opinion of the International Court of Justice, which clearly stated that there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control.

It is universally recognized that the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) constitutes the essential foundation for the pursuit of nuclear disarmament. We reaffirm the need for nuclear-weapon States to fully comply with all their obligations and commitments under article VI, including the 13 practical steps to which they agreed at the 2000 NPT Review Conference, with a view to accomplishing the total elimination of nuclear weapons. In the context of

the very limited progress achieved in the field of nuclear disarmament in recent years, it has become even more pertinent and justifiable to urge the nuclear-weapon States to stop the improvement, development, production and stockpiling of nuclear warheads and their delivery systems and, as interim measures, to de-alert and deactivate their nuclear weapons.

Pending the total elimination of nuclear weapons, efforts towards the conclusion of a universal, unconditional and legally binding instrument on security assurances to non-nuclear-weapon States should be pursued as a matter of priority. At the same time, my delegation wishes to emphasize that respect for the legitimate right of all States parties to use nuclear energy for peaceful purposes, without discrimination and in conformity with article IV of the Treaty and the International Atomic Energy Agency (IAEA) safeguards system, is a fundamental pillar for consolidating and enhancing the compliance and verification system of the non-proliferation regime.

Based on our country's consistent policy of striving for peace, opposing the arms race and preventing weapons of mass destruction, including nuclear weapons, on 15 November 2006 the Vietnamese President decided that Viet Nam would sign the Additional Protocol to the Safeguards Agreement with the IAEA. That decision shows our commitment to and tremendous efforts in nuclear non-proliferation and disarmament, thus making valuable contributions to the consolidation of world peace and security.

My delegation supports the convening of the fourth special session of the General Assembly on disarmament (SSOD-IV) and we are concerned over the lack of consensus on the objectives and agenda of SSOD-IV. We are hopeful that reconvening the open-ended working group on SSOD-IV will enable us to agree on the objectives and agenda of the special session, and the possibility of establishing its preparatory committee in particular.

One of the significant achievements that the international community has recorded in the process of nuclear non-proliferation and nuclear disarmament was surely the conclusion of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) in 1996. Attaching great importance to the CTBT, Viet Nam has signed and ratified the Comprehensive Nuclear-Test-Ban-Treaty. It is very frustrating that the Treaty is still not in force after more than a decade of tremendous efforts made by many countries. We therefore urge those nations that have not signed or ratified the Comprehensive Nuclear-Test-Ban Treaty to do so rapidly so that the Treaty will enter into force as soon as possible.

On the second agenda item on confidence-building measures in the field of conventional arms, we hope that such measures will be further developed and serve as a way to strengthen international peace and security. At the same time, we believe that such measures cannot substitute for disarmament measures. We stress the importance of the reduction of military expenditures in accordance with the principle of undiminished security at the lowest level of armaments. We also support unilateral, bilateral, regional and multilateral measures adopted with a view to reducing military spending, thereby contributing to the strengthening of regional and international peace and security.

Finally, my delegation looks forward to working actively with you, Sir, and with all other members to bring the 2007 session of the Disarmament Commission to a satisfactory outcome.

The Chairman (*spoke in Spanish*): I call on the representative of the Islamic Republic of Iran to speak in right of reply.

Mr. Robatjazi (Islamic Republic of Iran): I should like to begin by congratulating you, Sir, on your election to the chairmanship of the Disarmament Commission. I assure you that you have the full cooperation of the Islamic Republic of Iran, both in the Bureau and in the Commission.

My delegation would like to respond to remarks and allegations just made by the United States representative regarding the Islamic Republic of Iran.

This is the second time in the current cycle of the Disarmament Commission that the United States representative has shamefully failed to respect the established practice of the United Nations system whereby 54 countries of the Asian Group have already endorsed the vice-chairmanship of the Islamic Republic of Iran. Those 54 independent and sovereign countries were politically mature and wise enough to determine what is appropriate for them. The United States representative, instead of involving himself in a futile effort to make so much fuss over such an established practice during the past two years in order

to appease the Zionist lobby, should have explained to the said lobby that undermining that established practice is out of his hands.

It is no wonder that the United States has tried and is trying to create a smokescreen in this meeting and elsewhere to deflect attention from its abysmal record on nuclear disarmament. Regrettably, it has become the habit of the current United States administration to assume that all its policies and views are the right ones and the only right ones, and to regard the positions of too many member States as falsehoods and failed nostrums. Such a habit is fully reflected in the concluding remarks of the United States representative during the 2006 substantive session of the Commission. At that time, the United States representative said:

> "[The] absence of consensus has been most apparent in Working Group I, where far too many representatives continue to promote falsehoods and failed nostrums dating back decades to a cold war that no longer exists". (*A/CN.10/PV.275, p. 9*)

Here one can see that the rights- and treaty-based positions of too many representatives on nuclear disarmament were so easily characterized as "falsehoods and failed nostrums", and that Member States were called upon by the United States representative to set aside their positions on nuclear disarmament.

Allow me to give briefly just a few examples of United States non-compliance with the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) — non-compliance by a country that is now a self-proclaimed champion of compliance.

First, the United States adopted its Nuclear Posture Review, incorporating a breach of its obligations on irreversibility, the diminished role of nuclear weapons and the lowering of the operational status of nuclear weapons. It did this by stressing the essential role of nuclear weapons as an effective tool for achieving security ends and foreign policy objectives; by developing new nuclear weapons systems and constructing new facilities for producing nuclear weapons; by resuming efforts to develop and deploy tactical nuclear weapons despite the commitment to reverse this process and effectively reduce them; and by targeting non-nuclear weapon States parties to the Treaty and by planning to attack those States.

Second, the United States replaced the principle of destruction, perceived as the most fundamental element in the process of nuclear disarmament, with a policy of decommissioning.

Third, the United States abrogated the Anti-Ballistic Missile Treaty, recognized by the international community as the cornerstone of global strategic stability, through its unilateral withdrawal from the Treaty.

Fourth, the United States continues the deployment of nuclear forces in other territories, raising serious concerns over the command and control of such weapons, which constitutes a clear violation of article I of the Non-Proliferation Treaty.

Fifth, the United States continues to provide a nuclear umbrella for non-nuclear-weapon States parties to the Treaty, in flagrant violation of articles I and II of the Treaty by the United States and countries hosting such weaponry.

Sixth, the United States signed an agreement on nuclear cooperation with Israel, whose nuclear arsenal presents the gravest danger to peace and stability in the Middle East, providing Israeli scientists access to United States nuclear facilities, thereby demonstrating its total disregard for its obligations under article I of the Treaty.

Seventh, the United States rejected the Comprehensive Nuclear-Test-Ban Treaty, not only damaging the prospects of the entry into force of the Treaty but also undermining the promotion and upholding of the Treaty in international forums.

Eighth, the United States rejected the inclusion of the elements of verifiability in a future cut-off treaty, thereby breaking a long-standing position of the international community on a consensus concerning the negotiating mandate in the Conference on Disarmament.

It is apparent that another habit of the United States is to accept commitments first and then reject them.

As we have stressed time and again, Iran's nuclear programme is completely peaceful. The actions adopted by the Security Council on Iran's peaceful nuclear programme are unwarranted, unacceptable and unhelpful. There is no legal basis for involving the Security Council in Iran's peaceful nuclear programme,

particularly when the Council is failing badly in its real task of addressing real threats to international peace and security, including those posed by the Israeli regime.

In order to achieve the politically motivated and unlawful goal of depriving Iran of its inalienable right to nuclear technology, attempts have been made to manufacture evidence. According to a recent report in an American newspaper, "Most U.S. intelligence shared with the UN nuclear watchdog agency has proved inaccurate, and none has led to significant discoveries inside Iran". The same news article also quotes a senior International Atomic Energy Agency (IAEA) official as saying, "Since 2002, pretty much all the intelligence that's come to us has proved to be wrong".

In fact, over the last four years, the IAEA has conducted more than 2,100 person-days of scrutiny of all Iranian nuclear facilities. All reports by the IAEA since November 2003 have been indicative of the peaceful nature of the Iranian nuclear programme.

Much has been made of a statement by the IAEA that it is not yet in a position "to conclude that there are no undeclared nuclear materials or activities in Iran". But no attention has been paid to repeated IAEA acknowledgements that reaching such a conclusion is a time-consuming process. Another fact that has been ignored is a recent IAEA report that states 45 other countries are in the same category as Iran, including 14 European nations and several members of the Security Council. On several occasions, the Agency concluded that "all the declared nuclear material in Iran has been accounted for and, therefore, such material is not diverted to prohibited activities". As recently as February 2007, the IAEA Director General stated in his report that

> "Pursuant to its NPT Safeguards Agreement, Iran has been providing the Agency with access to declared nuclear material and facilities, and has provided the required nuclear material accountancy reports in connection with such material and facilities". (*S/2007/100, annex, enclosure, para. 26*)

The same report indicates that the Agency is able to verify the non-diversion of declared nuclear material in Iran.

The Chairman (*spoke in Spanish*): If members have no objection, perhaps in an informal meeting to follow immediately I could consult delegations on some of the issues that I touched upon in my opening statement, pertaining to organizational aspects of our work: the participation of experts, the organization of the thematic debates and so forth. Members might prefer to discuss those issues at a later point, and we can discuss this in our informal meeting.

I would also like to remind delegations that the deadline for adding names to the list of speakers is 6 p.m. today.

I give the floor to the Secretary of the Commission to make an announcement.

Mr. Alasaniya (Secretary of the Commission): I have been asked to make the following announcement. Allow me to remind members that copies of a survey on the *United Nations Disarmament Yearbook* being conducted by the Office for Disarmament Affairs (ODA) were circulated during the morning meeting. ODA would greatly appreciate it if members could take the time to answer the questions. I would ask members to leave the completed surveys on their desks. ODA will collect them at the end of each meeting during the Commission's general exchange of views. There are additional copies of the survey on the table at the back of the room, and an on-line version of the survey, which will also be available soon at disarmament.un.org, will be e-mailed to all delegations.

The Chairman (*spoke in Spanish*): We will now move into an informal meeting.

The meeting rose at 3.50 p.m.